

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... JUL 30 1991

Returned to applicant for correction..... AUG 22 1991

Corrected application filed..... AUG 29 1991 Map filed..... SEP 09 1991

The applicant Oxbow Geothermal Corporation

200 South Virginia Street, Suite 450 of Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89501

State and Zip Code No.

hereby make S. application for permission to change the

place of use and the point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under..... 48932

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is..... Dixie Valley Geothermal Reservoir  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed..... 2.77 second feet  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for..... generation of steam for electrical production  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for..... same  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point..... located in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec 33 T25N R37E  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDB&M from said point the SW corner of said Section 33 bears S 59° 39' W a  
distance to a section corner. If on unsurveyed land, it should be stated.

distance of 769.9 feet (see attached map dated 6-6-90)

6. The existing permitted point of diversion is located within..... SW $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 33 T25N R37E MDB&M.  
If point of diversion is not changed, do not answer.  
The SW corner of Section 33 bears S 57° 15' 53" W at a distance of 832.16 feet.

7. Proposed place of use..... NE $\frac{1}{4}$  of Section 7, T24N R37E MDB&M. Place of use shown in  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
supporting map filed with applications 42411 and 52412

8. Existing place of use..... SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 33, T25N R37E  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from..... January 1 to..... December 31.....of each year.  
Month and Day Month and Day

10. Use was permitted from..... January 1 to..... December 31.....of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Well will be self-flowing, vertically drilled  
State manner in which water is to be diverted, i.e. diversion structure.  
to depth of 10,000', and connected to existing gathering system.  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works..... 2.5 million

13. Estimated time required to construct works..... 6 months

14. Estimated time required to complete the application of water to beneficial use. 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

annual consumptive use to be 20% of 2.77 second feet.

By s/Dick Benoit  
200 South Virginia St., Suite 450  
Reno, NV 89501 (8/27/91)

Compared bc/bc ap/se

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 48932 is issued subject to the terms and conditions imposed in said Permit 48932 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection wells are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.77 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before November 21, 1993

Proof of completion of work shall be filed before December 21, 1993

Application of water to beneficial use shall be made on or before November 21, 1994

Proof of the application of water to beneficial use shall be filed on or before December 21, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 2 - 1993

Proof of beneficial use filed APR 08 1993

Cultural map filed \_\_\_\_\_

Certificate No. 13743 Issued SEP 16 1993

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of February,

A.D. 19 93

R. Michael Turnipseed, P.E.  
 State Engineer

## (PERMIT TERMS CONTINUED)

geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid under this permit shall be limited to 2005 acre-feet per year but the total combined consumptive use of the geothermal fluid under permits 41929, 43052, 46951, 47142, 47322, 47323, 48933, 48934, 48935, 49572, 49573, 49644, 49802, 49803, 50753, 51029, 51030, 51031, 51032, 51033, 51034, 51035, 51036, 52411, 52412, 52951, 55729 and 56604 shall not exceed 10,704 acre-feet annually. The State Engineer does not waive the right to make a determination of consumptive use at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.